

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

THANH VIET JEREMY CAO

Defendant.

2:10-cr-377-KJD-LRL

ORDER ALLOWING
LIMITED DISCLOSURE OF RETURN
AND RETURN INFORMATION AND
DISCOVERY PROTECTIVE ORDER

(26 U.S.C. § 6103(h)(4)(D);
Fed. R. Crim. P. 16(d)(1))

Pursuant to the authority afforded this Court by Title 26, United States Code, Section 6103(h)(4)(D) and Federal Rule of Criminal Procedure 16(d)(1), to permit disclosure of third-party tax return and return information and make appropriate orders with respect to any and all discovery and inspection of documents and tangible objects, and for good and sufficient cause,

IT IS HEREBY ORDERED that the United States' Motion for Order Allowing Limited Disclosure of Tax Return Information and for Protective Order is hereby GRANTED.

IT IS FURTHER ORDERED that the United States may disclose to defense counsel and the defendant return and return information, in accordance with its discovery obligations pursuant to Federal Rule of Criminal Procedure 16 and Title 18, United States Code, Section 3500. For purposes of this Order, "return" and "return information" shall be defined as set forth in Title 26, United States Code, Section 6103(b).

IT IS FURTHER ORDERED that the United States may disclose to defense counsel and the defendant additional return or return information subject to its continuing duty of disclosure

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1 pursuant to Federal Rule of Criminal Procedure 16(c) without making separate application to
2 the Court.

3 IT IS FURTHER ORDERED that defense counsel shall maintain the returns and return
4 information provided by the United States in the defense counsel's custody and disclose return
5 and return information only to the defendant and defense counsel's investigator (who consents
6 to the jurisdiction and Order of this Court). Defense counsel shall not reproduce or disseminate
7 any return or return information without further order of the Court.

8 IT IS FURTHER ORDERED that, with respect to any copies made at the request and
9 expense of defense counsel of evidence which is stored by the Internal Revenue Service,
10 Criminal Investigation or the office of the Treasury Inspector General for Tax Administration in
11 relation to this case, the following conditions shall apply:

12 1. Any and all return and return information contained therein shall be subject to
13 this Order; and

14 2. Any and all return and return information contained therein shall not be further
15 copied or disseminated without further order of the Court.

16 IT IS FURTHER ORDERED that with respect to any discovery provided by the
17 government in this case, said discovery is for use in the defense of this criminal case only and
18 shall be returned to the government upon demand for destruction after the completion of the
19 proceedings.

20 IT IS FURTHER ORDERED that nothing herein requires the government to provide
21 discovery beyond what is required by U.S. Constitution, statute, the Federal Rules of Criminal
22 Procedure, and the Court's discovery orders.

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1 IT IS FURTHER ORDERED that the defendant and defense counsel shall file an
2 acknowledgment of this Order within 10 days of the date of this Order.

3 IT IS SO ORDERED.

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5 DATED: 8/19/2010.



HON. KENT J. DAWSON
UNITED STATES DISTRICT JUDGE